the account between him and the curs who were barking at Mr. G said he regretted that the especial friends of the bill had been unwilling to admit such an amendment as would re-

constitutional difficulty. The 10th Article of the Constitution provided that no person should be deprived of his property without due process of law. This bill, in his view, created a forfeiture without any such process. In the expression, due process of law, were implied a notification, or summons,—an opportunity of hearing or defence, and an order of sale or judgment by some proper Court. Did the provisions of the bill include all these provisious? He also cited the 13th and 15th Articles of the Constitution

as bearing on the same point.

Mr. G. continued at some length in arguing the constitutional question, and concluded by saying, that though he favored the general features of the bill, he had great doubts about voting for it on the grounds he had stated.

Mr. Hopkins said : That having seconded Mr. Wyllie's motion to reject this Bill on its first reading, he wished, before it finally passed, to say a few words, only a very few, for the arguments of those who opposed the measure had been so luminously se forth that very little remained for him to say. But Mr. Arm strong had remarked upon the rapidity with which illicit stills were sought out and overturned in former times; how Kinau, then Regent, had almost cleared this island of them in one day. ion went to confirm him (Mr. H.) in the opinion he has the Bill was first read. It was a high-handed measure, adapted exactly to the circumstances of irresp of a feudal government, when the word of the ruler was law, when property was liable at any moment to confiscation, when the prison doors were always open to the emissaries and victims of the Regent, and habeas corpus had not yet been heard of. It was exactly because this measure was in keeping with the system of government then in vogue, that he thought it was not adapted to us now, living as we are under a constitutional gov ernment, with laws to protect us and guard our rights. The idea of an autocracy had long since been banished. The people had numitted, they had returned thanks for the boon con been manumitted, they had returned thanks for the book con-ferred upon them, and they valued their privileges enough, at all events, to make an effort to maintain them. He thought that in ion Mr. Armstrong had made to a by-gone plan of goverament, he forgot the alterations which had subsequently inter-vened. He did not believe in submission to domiciliary visits. Every man's house is his castle, although the house be one of and the door nothing more than the cover of a packing case. He had always understood that trespassers after bein warned off, might be put off. The police might watch and gathe information, and on the strength of that information might pro-cure a warrant, but that warrant even, issuing as it did from a Magistrate, had to be served according to law Suppose, how ever, the police have somehow or other come fairly and without any breach of law upon a still in operation—how do they know that the spirit is intended for other people than the manufacturer himself? How do they know that he means either to supply it to others or to sell it to others? Mr Hopkins did not know of any law forbidding a man to manufacture obsidehite for his own use. The question was, how long a householder would be able to call his tea-kettle and saucepans his own. If it was to be

Not long ago in Ireland the excise laws were so severe that it became quite a profitable business to evade the law and make claudestine whisky. And what was the consequence? A succession of skirmishes was the consequence. Excisemen lost their lives and limbs; so did the illicit 'stillers. We have no excisemen at present, nor is our police strong enough for the purposes of an internecine war. But what is it that has altered the state of things in Ireland? Is it the enforcement of a rough, overbearing law? No, it is an improvement in public opinion for which the law can take no credit. It is the people who have sub-sided from the pressure of the laws. Education, inter-communication by steamboat and railway, the efforts of honest men who went through the country reaching a new crusade-a crusade against drunkenness material prosperity, better houses, better morals-these are the agents that have wrought the change. It had been very well argued that the manufacture of okolchao decreased the revenue. The traders in spirits bought okolehao for " stock" (to use a term more applicable to soup.) and on this stock they ingrafted brandy, gin, rum, whisky, and what not. In consequence the liquors imported fall off in quantity, and the amount received under the \$3 duty decreases. If there were an excise here, with proper officers, liquor might be manufac-tured for home use and also for exportation, and the Government receive directly and indirectly an equivalent for the \$3 per gallon duty, while the actual consumers here might buy a pure native article for a lower price than the imported artia pure native article for a lower price that a would avoid cle, which is very seldom pure. By so doing we would avoid the necessity of importing spirits and sending away money (or its equivalent) in cetura, and drink a purer article. Nobody had advocated the free use of spirits. The question of allowing it to be sold to natives had not arisen. Mr. Hopkins concluded by moving the indefinite postponement of the bill.

competent for the police to burst without warrant into a house or premises, and to declare that because such and such a process

was in operation, the owner of the house must have the intention to do thus and so, where would be the liberty and the security of

Mr. Wyllie would withdraw his opposition were he assured that an excise bill would be introduced. The motion to indefinitely postpone was lost, 6 to 7,

and the bill finally passed, 7 to 6. Regulate Names, and the bill to amend of Nobles with some slight amenda certain portions of the Civil Code, (both Representatives,) were referred to Select Committees. The Market Law, as amended by the Representatives,

was concurred in. Adjourned.

HOUSE OF REPRESENTATIVES.

SIXTY-BIGBTH DAY, Aug. 10th .- The Act to Regulate Names, and to amend Chap. xlii of the Penal Code. authorizing summary seizure of illicit distilling apparatus, were read third time and passed.

The House went into Committee upon the Bank Bill. It being read by the Clerk, Mr. Kama'au moved and Mr. Widemann seconded, to lay the bill on the table, and without remark or opposition the motion was put and passed, and the Committee rose.

Mr. Dowsett read first time a bill to promote the public health, providing that every common prostitute in and around Honolulu shall register with the Sheriff of Oahu her name, residence, birth-place, age, married or single or divorced, if her parents are living, her children if any, whether she was ever arrested and for what, if she can read or write, what are her means of support if any. All known common prostitutes failing to register, subject to imprisonment for from thirty to sixty days. All registered prostitutes to be examined by the government physician at least every ten days, and if found diseased to be prescribed for free of charge by the government physician, with summary penalties for not complying with the prescribed treatment. Government physician to be appointed by the King in Council, salary at the discretion of the Legislature. The Sheriff of Oahu to be charged with the execution of this law, to be empowered to make the necessary police regulations and to report to the Minister of the Interior.

Mr. Mahoe moved to postpone indefinitely. He op-posed the bill because it offered an inducement to prostitution by making it safe. Two-thirds of the women in the kingdom would come to Honolulu to be treated. They would cease child bearing and devote themselves to prostitution. The country could not afford the ex-

Mr. Dowsett argued that it was competent for the Government to take notice of an evil which lurked and lay in wait to destroy life-an evil that could not be suppressed and ought to be controlled—that the law would establish a social distinction between the virtuous and depraved where none now exists-the prostitute associwith the decent woman-that the intention of the law and the effect of it would not be to encourage prostitution; it gave no immunities from the laws against adultery and prostitution; that the disease unchecked was not only a disgrace but a serious damage to this port and to the kingdom. No vessel could touch here with safety to her crew; that the institution of a system of inspection and registry would do much to impress the native mind with the dangerous character of the disease which they now too often leave to take its course unchecked till it is too late; it would give statistics of the number of prostitutes, the prevalence of disease and the causes, want of means of support, desire for fine clothes, &c., &c. The evil to be combatted was a pitiable one. The Christian world had commiserated the victims of idolatrous worship. Here was a monstrous physical as well as moral evil which demanded our attention and our aid, by what practicable means were in our power.

Mr. Green against the bill said that it was an im-

practicable scheme—that it was in violation of the street or public place in Honolulu to vend fish, vegepresent adultery laws-but most of all, he could not be a party to abetting the sin of encouraging prostitube fined one dollar, provided that the fine shall not be tion-of curing up the women for them to go in prostitution with impunity

Mr. Dowsett replied to these views. Mr. Chamberlayne supported the bill. The great evil of the country has been for thirty years that there has been no distinction between the vicious and the virtuous. In every civilized country there was such a distinction, either social or legal. It must be made here, not talked about but made. This bill inititates

such a distinction. He had amendments which he would suggest to the Committee. Messrs. Kailihou and Mr. Hopu supported the general bill but wished to amend somewhat.

Mr. Webster said he supported the bill as a means of suppressing this great and most widely disseminated evil among this people.

Mr. Mahoe wanted to know if it was only at Hono-

lulu that there was disease. He wanted a law over the whole kingdom or none at all. An active debate was sustained for sometime longer, per diem, and not to exceed \$1,000 for the two years." House adhered to former action.

and for the first time in Hawaiian legislation this subject had a hearing. The discussion of this morning was merely a prediminary to referring to a Select Com-

SIXTY-NINTH DAY, Aug. 11 .- The proceedings of the House to-day were confined to a debate in Committee of the Whole upon the bill introduced by Mr. Naiapaaksi, by which it was proposed to restore the office of Attorney General, although the provisions of the bill did not go to the extent of placing such officer at the head of the District Attorneys. It took the appointment from the Judges of the Supreme Court and placed it in the hands of the King; instead of a commission for two years, to hold office at his Majesty's pleasure; to give advice to Ministers, legislative, judicial and executive departments, and to be responsible for the same; to attend the island circuits when capital cases or public good required, etc.; to discharge the duties of District Attorney of Oahu, and to receive the salary to upper House. His Excellency D. L. Gregg being rethat officer now by law belonging. The arguments for the bill were-that the office be- I am directed by the House of Nobles

The Sergeant-at-Arms announced a message from the ceived, said-

ing an executive one should be under the control of the Commission to the Legislature with a Royal Message, and that the House of Nobles respectfully invite the House of Represen-Executive and the King, and not of the judiciary, as the Constitution provides that the executive and juditalives to meet, at their earliest convenience, for the purpose of ciary departments shall be forever kept distinct and separate; the bond of the District Attorney is now The House, accepting the invitation, ascended to the made to the Chief Justice, before whom it must be Nobles' Hall, and received the Message of his Majesty,

sued; that the Ministers being obliged at times to take

the opinion of a law adviser, and to follow it when

given, should have the opportunity of selecting their

his opinion; neither should he be the law officer of a

district, but a general officer of the kingdom, that his

pinions may be given and received at home and abroad

with the authority and responsibility of a high crown

officer; that being appointed, he should also be dis-

missable at the will of the King, like any other minis-

ter through whom the crown acts; that the law would

only restore an old office, abolished for special reasons,

complete the symetry of the executive system, and con-

form it in this respect to that of every other civilized

country, so that in the pleas of the crown the crown

attorney and not the court's attorney would appear for

the crown. It is to the Executive that the country

looks for the f.ithful and vigorous execution of the laws,

without which the most finished statute system is of no

account ; that the bill does not attack any one, it sim-

ply vests the appointment in the sovereign and makes

Against the bill, it was argued that it was a covert

personal attack; that if it was an Executive measure it

should have originated in the upper House; that it

went only half way; should make the salary sufficient,

and prohibit the incumbent from all private practice,

SEVENTIETH DAY, Aug. 13th .- Mr. Kaulia read first

time a bill to punish constables who bring malicious

complaints, " hoopii kolohe," by fine or imprisonment.

ported the bill. Mr. Kalama said he wanted something

of the kind, though he did not approve the bill in this

form. He said that in the country there was a great

deal of this business of bringing criminal actions for the

save of the fines, of which the constables get a share,

and that the magistrates were combined with them, to

fine and share the plunder. Perjury was freely com-

mitted both in taking out warrants and in giving testi-

Mr. Widemann concurred with Mr. Kalama, but

said that the 24th Chapter of the Penal Code, " Mali-

cious Injuries" provided for the offense. The sharing

of the fines was the cause of a great deal of evil in the

time and referred to a select committee.

lution on the table. Carried.

in which the House concurred.

Raised by the House to \$1,500.

of the House, to wit :

1001 of the Civil Code, which is-

The rules being suspended, the bill was read second

Mr. Ukeke presented a resolution to appropriate

\$5,000 to procure a list of all the medicines indigenous

to the country, of the diseases, and for a provision to

register and instruct professors of the healing art. Mr.

Ukeke said for his resolution that it was intended for

the suppression of quackery and of conjuring, which

had been charged to the native doctors; there were

some very good and many bad ones among them.

Mr. Kaulia supported; Mr. Naiapakai moved to

Mr. Kalama gave a graphic exhibition of the art and

science of these professors, and moved to lay the reso-

Mr. Mahoe read his bill second time to amend Sec

five dollars each, as a compensation for their services in settling

any such controversies; which compensation shall be paid by

either of the parties alone, or by all the parties interested, in such proportions as the commissioners may adjudge. In case of appeal, the compensation of the commissioners, as well as the additional costs, shall abide the decision of the appellate court.

-by providing that the commissioners shall be paid \$3

The English School Bill came down from the House

The Amendments to the Appropriation Bill made by

the Nobles, were taken into consideration in Committee

CIVIL LIST.

lars per day for each meeting. Concurred .- Hon. L.

Andrews, for compiling a Hawaiian Dictionary, \$1,000.

Concurred.-Towards defraying expenses of H. R. H.,

L. Kamehameha, on a tour for his health, \$1000.

INTERIOR DEPARTMENT.

Item, for the third Clerk of that Department,

\$1,600, re-inserted. Concurred.-Clerk of Governor

of Kauai, pay raised from \$300 to \$500 per annum.

Concurred .- Sheriff of Kauai, pay raised from \$800 to

\$1,000 per annum .- The item of stationery for Police

and District Justices amended to include newspapers

containing the laws published by authority. Concurred.

-Item, purchase of vaccine matter, &c., raised from

penses of Health Commission, increased to \$600, to

To amend by striking out the words " and incident-

als" and change the figures \$3,000 to \$4,800; and

Ordered by the House to be referred to Committee of

DEPARTMENT OF FOREIGN RELATIONS.

Item, "Clerk" salary raised from \$2,000 to \$2,500

Item, for expenses of King's Foreign Agents, increas-

DEPARTMENT OF FINANCE.

raised from \$2,000 to \$2,500 per annum. Referred

Item, \$652 25 for surveyors and guards for first quar-

ter, as paid according to the old bill; and for the Col-

lector of Customs at Hilo one year and nine months

\$875, being at the rate of \$500 per annum: do., at

Kawaihae, \$525, being at rate of \$300 per annum :

do., at Kealakekua, and at Koloa; pay of Collectors

at ports not ports of entry, " at discretion of Collector

General, with the approval of the Minister of Finance."

DEPARTMENT OF WAR.

Appropriation increased from \$40,000 to \$49,528.

5, including pay of a military instructor. Referred

A second motion was now made that the Committee

rise. Ayes and noes being recorded, it was carried.

Moved to adjourn to 3, P. M., to-day; amended to

SEVENTY-FIRST DAY, Aug. 14th .- Mr. Webster in-

roduced a petition from Messrs. Castle & Cook pray-

ng that goods of missionaries may be imported duty

Mr. Webster reported the bill for the regulation of

Mr. Dowsett, from Committee of Conference, reported

the Market Bill (from the Nobles,) laid upon the table

by Representatives, with amendments, the bill being

in Committee of the Whole. The amended law is in

substance as follows: That any person standing in any

tables, etc., other than the public market places, shall

imposed until such time as suitable markets are estab-

ished by the Minister of the Interior. Mr. Ukeke

On the amendments to the Appropriation Bill, the

tem of \$1,000 towards expenses of H. R. H. Kameha-

meha on a tour for his health, amended by the House

to \$1500, was reconsidered and further raised to

Item-to raise the salary of the Clerk of the President

f Public Instruction from \$2,000 to \$2,500 per an-

Item-for the (Catholic) school at Koolau \$800 in-

Item-the salary of the Circuit Judge at Hilo reduced

Item-the pay of interpreter of Police Court of Ho-

nolulu, add "to be employed only when the Police

Justice shall require it, at a rate of not to exceed \$5

Item—the Clerk of the Supreme Court authorized to

Item-\$3,000 for safe for Government records in lieu

of \$20,000 for new Government buildings. Concurred. Item—salary of District Justice of North Kohala put

Breakwater at Labaina \$2,000, struck out. House

Items-mountain road of Pohakea \$1,000, struck

out ; road from Kipolo to Kapalaoa \$1,000, struck out;

make the report for expenses of the same, and ditto of

free. Referred to Messrs. Webster, Baldwin, Kama-

Pay of Deputy Collector of Customs at Honolulu

ed from \$500 to \$1,600, Committee of Conference.

to Committee of Conference.

to Committee of Conference.

10, A. M., and so carried.

kau, Najapaakai and Nahinu.

prostitution with amendments.

moved to lay on the table. Lost.

num. Concurred with Nobles.

from \$1,000 to \$800. House adhered.

stead of \$400. Concurred.

Circuit Courts. Concurred.

back to \$500. House adhered.

\$500, struck out. House adhered.

adhered.

insert "for Reporters \$2,000, for incidentals \$800."

\$1,500 to \$2,000. Concurred -Item, \$300 for ex-

include "the removal of nuisances." Concurred.

Item, Secretary of Privy Council to be paid five dol-

per diem in lieu of \$5 per case. Referred to select

Mr. Green moved to reject the bill ; Mr. Mahoe sup-

the tenure of it depend upon his will, etc.

etc. The bill was indefinitely postponed.

On returning to session, Mr. Webster moved the appointment of a Committee to confer. dviser. Such officer should not be one of the Judges In miscellaneous expenses-Mrs. Richards' annuity of the Supreme Court, who must afterwards rule upon made payable annually on 1st of October; ditto to the points, upon argument which he has already given

as will be found in another column.

Judge Andrews' monthly. Concurred. Item-Royal Hawaiian Agricultural Society \$1,000. make \$580; for National Agricultural Society \$500, to be expended under direction of the President for experimenting on the practicability of cotton growing as source of national wealth. House concurred with

The Committee rising, the Speaker read a communi cation from his Excellency the Minister of Foreign Affairs, informing the House that his Excellency the French Commissioner had invited the King's Government to partake in the celebration of the Fete Napoleon, the service at the church and the soirce at his Excel-

SEVENTY-SECOND DAY, Aug. 15 .- In Committee of the Whole, the consideration of the amendments to the Appropriation Bill was resumed at the item "Na-

houa's claim," struck out by the Nobles. Concurred.
ITEM. Pay of Clerk of Gov. of Kauai, etc., struck ITEM. Claim of Dr. Smith, to insert provision that his report shall be satisfactory to the Minister. Con-

ITEM. Claim of V. Kamamalu, struck out. Con-ITEM (new) For rewards for the apprehension of

criminals and fugitives from ju-tice, to be expended at iscretion of his Majesty's Government-\$4,000. The action of the House on amendment to strike out Vahoua's claim was reconsidered, and the House adhered. Ditto on salary of Deputy Collector, and House

THE POLYNESIAN.

SATURDAY, AUGUST 18, 1860.

To On the 14th inst. the House of Nobles was notified that the Hon. E. H. Allen, Chancellor of the Kingdom, and His Excellency Mr. Kekuanaoa, Governor of Oahu, having been commissioned by His Majesty to read to the two Houses of Legislature His Majesty's Message, in relation to certain amendments of the Constitution, His Excellency Minister of Finance was deputed to inform the House of Representatives accordingly, upon which the latter proceeded to the Chamber of the Nobles. The Royal Commissioners immediately afterwards made their appearance, when the Chancellor handed to Mr. Hopkins, President pro tem, the Royal Commission, which was read in Hawaiian and English by the Secretary of the House. SECTION 1991. The Commissioners shall receive the sum of

HIS MAJESTY'S SPEECH, Amendments to the Constitution &c.

KAMEHAMEHA IV, by the Grace of God King of the

To His Excellency M. KEKUANAOA, Our Governor of Oalos, and the Honorable ELISHA H. ALLEN, Our Chan-

deliver to the Nobles and Representatives, Our Message, touching certain alterations proposed to be made in the Constitution of Our Kingdom : And for so doing five years, who shall know how to read and write, who

this shall be your sufficient warrant. Given at Our Palace in Honolulu, this Fourteenth day of August, in the year of our Lord 1860,

and in the sixth year of Our reign. КАМЕНАМЕНА.

At the request of the President, Mr. R. Armstrong then read the Royal Message in Hawaiian, after which the Chancellor read the same in English. The following is the English version:

NOBLES AND REPRESENTATIVES:

I called the attention of the last Legislature to certain amendments of the Constitution. Experience of the practical operation of that instrument has impressed me with their importance, and in this view that body coincided. But from some omission the publication was not made in conformity to the provision of the Constitution, and hence you have very properly expressed your constitutional inability to pass finally upon the amendments as adopted by them.

Therefore, it has become my duty to call your attention to some of those amendments, as well as others, which a more mature reflection has suggested.

I regard favorably the eligibility of the Ministers to the House of Representatives. The experience of monarchical governments has illustrated the importance of their services to the popular branch. It is a power of selection which may be wisely entrusted to the people to exercise. A property qualification of a limited amount will tend to make the selection from the more substantial men of the Kingdom, and the payment by a salary for their services, I regard as more just than per diem allowance as now provided. A limited number of appointments to the House of Nobles for a

term of years may afford that body valuable aid. When the Constitution was adopted, its provisions in reference to a successor to the Throne, were made with especial reference to my Predecessor, who had no lineal heirs. Additional provisions now seem to be necessary as a protection to the Heir Apparent to the Throne, and so secure beyond reasonable contingencies the stable administration of the sovereignty.

I regard a regency by the Queen, in cases of temporary vacancy of the Throne, or during a minority of the Heir Apparent, as the best means to secure a wise and safe exercise of regal authority, with proper regard to the rights of all persons. It would be a safe depository of power, for no one can feel a more sincere interest for the honor and prosperity of the Kingdom than the Queen Consort, and the mother of the Heir Apparent. Amendments which will secure these objects, you will regard as the part of wisdom to adopt.

There are some minor amendments which will be submitted, to which I do not regard it as essential more particularly to advert. Of their wisdom and propriety

Relying upon your wisdom and your devotion to the integrity and prosperity of My Kingdom, I have the most entire confidence that the amendments proposed will receive your most careful consideration.

KAMEHAMEHA.

The Royal Commissioners having laid upon the table of the President copies of the proposed amendments in the English and Hawaiian es took their departure.

ARTICLES OF AMENDMENT OF THE CONSTI-ARTICLE OF THE CONSTITUTION.

RESOLVED, By the King, the Nobles, and the Representatives of the Hawaiian Islands, in Legislative Council assembled:

ARTICLE 1. Article 25th is hereby amended by inserting after the word " successors," the words " The Crown is hereditary, and in case there is no heir ap-Heirs and Successors. The Crown is hereditary, and

House of Representatives that his Majesty the King has sent a | shall be the person whom the King and the House of Nobles shall appoint and publicly proclaim as such, during the King's life; but should there be no such appointment and proclamation, then the successor shall be chosen by the House of Nobles and the House of Rep-

resentatives in joint ballot." ARTICLE 2. Article 35 is hereby amended so as to

"The person of the King is inviolable and sacred his Ministers are responsible; to the King belongs the Executive power; all laws that have passed both Houses of the Legislature for their validity, shall be signed by His Majesty and the Kuhma Nui; all his other official acts shall be approved in the mode prescribed by law, except as specially provided by this Constitution.

ARTICLE 3. Article 47 is hereby amended so as to

"Whenever the throne shall become vacant by reason of the King's death, or otherwise, and during the mipority of any heir to the throne, the Queen Consort or the Queen Dowager, as the case may be, sh ll, during such vacancy or minority, perform all the duties incumbent on the king, and shall have and exercise all the powers which by this Constitution are vested in the

ARTICLE 4. Article 48 is hereby amended so as to

read as follows : "Whenever during the vacancy of the throne, or the minority of any heir to it, the Queen Consort or the Queen Dowager, as the case may be, being dead, the office of Kuhina Nui becoming vacant by death, resignation or otherwise, then the Privy Council, or the mafor part of them, shall, during such vacancy, have full power and authority to do, and execute all and every such acts, matters, and things, as the King or Kuhina Nui might or could, by virtue of this Constitution, do or execute. And in such case, the Privy Council, immediately after the occurring of such vacancy, shall cause a meeting of both Houses of the Legislature, who shall elect by joint ballot a person to fill the office of Kuhina Nui, who shall be a descendant of the original stock of Aliis."

ARTICLE 5. Article 55th is hereby amended so as to read as follows :

"The King's Ministers are eligible to the House of Representatives, excepting those who have been created members of the House of Nobles by Royal Patent, and they have the right to be heard in the House of Repreentatives when accused of mal-administration in office." ARTICLE 6. Article 70th is hereby amended so as to

"The members of the House of Representatives shall eccive as compensation for the entire term of service. the sum of One Hundred and Fifty Dollars out of the public Treasury, to be paid in such proportion during the Session as the Legislature may prescribe, and with such sum for mileage as may be provided for by law." ARTICLE 7. Article 72nd is hereby amended so as to

"The King appoints the Members of the House of Nobles, who hold their seats during life, unless in case of resignation, or for such a term of years as may be prescrib d by Royal Patent, subject to the provision of Article 67th, but their number shall not exceed thirty.' ARTICLE 8. Article 76th is hereby amended so as to

"The Representation of the people shall be based on the principle of equality, and shall be forever regulated and apportioned according to the population, to be ascertained by the official census. In the year One Thousand Eight Hundred and Sixty-two, and every tenth year thereafter, the number of Representatives shall be fixed by the Legislature, agreeably with this and the 75th Article."

ARTICLE 9th. Article 77th is hereby amended so as

" No person shall be eligible for a Representative of We hereby commission you in Our place and stead, to the people, who is insane, or an idiot, or who shall at any time have been convicted of any infamous crime, or unless he be a male subject or denizen of the Kingdom, who shall have arrived at the full age of twentyshall understand accounts, and who shall have resided in the Kingdom for at least one year immediately preceding his election, and who shall own real estate within the Kingdom, unincumbered, of the value of at least \$250, or who shall have an annual income of at least

ARTICLE 10. Article 78th is hereby amended so as to

"Every male subject of His Majesty, whether native or naturalized, and every denizen of the Kingdom who shall have paid his taxes, who shall have attained the full age of twenty years, who can read, and who shall have resided in the Kingdom for one year immediately preceding the time of election, shall be entitled to one vote for the representative or representatives of the listrict in which he may have resided three months next preceding the day of election : provided that no insane person, nor any person who shall at any time have been convicted of any infamous crime, within this Kingdom, unless he shall have been pardoned by the King, and by the terms of such pardon, been restored to all the rights of a subject, shall be allowed to vote."

ARTICLE 11. Article 83d is hereby amended so as to

"The Legislature may from time to time establish such Circuit Courts as the public convenience may require; for each of the said Circuit Courts so established one or more Circuit Judges, not exceeding three, shall be appointed to hold their offices during good behavior subject to removal upon impeachment.

ARTICLE 12. Article 91 is hereby amended so as to

"In order that the people may not suffer from long continuance in place of any District Justice, who shall fail of discharging the important duties of his office with ability and fidelity, all commissions of District Justices shall expire and become void in the term of two years from their respective dates; and upon the expiration of any commission, the same shall be renewed, or another person appointed, as shall most conduce to the well-being of the Kingdom: Provided always, that District Justices shall be subject to removal at any time by the Circuit Court, or by the Supreme Court, for causes particularly assigned by the Judges of said Court in rendering their judgment. But no District Justice shall be removed until he shall have notice of the charges made against him, and an opportunity of being heard

We spoke not long ago, in plain and unmistakeable language, about that prevalent, terrible vice which is poisoning the existence of this people, which has struck them to the ground and is keeping them there. We showed the absolute necessity of doing something to relieve from the conequences of that vice, to prevent the country from being depopulated before our very eyes without a hand being raised to restrain and save. We spoke feelingly and earnestly, for we felt for a people that had been smitten with leprosy and blindness together, and who, in the matter of the offence referred to, had been more sinned against than sinning; and we spoke earnestly, for there was no time to lose, and we had only the Legislature to look to for any effects from our words. And, as if to show the folly and absurdity of irresponsible representatives without self-acting constituencies -constitutional government without municipal substrata-there was no time, nor would it have been of any use had there been, to appeal to the country upon a question of such vital importance. We addressed ourselves, therefore, to the Legislaonly less responsible for the continuation of these evils than the framers of the Constitution-a po-TUTION, PROPOSED PURSUANT TO THE 105rm litical instrument of power in unknown and irresponsible, and, we are forced to believe, not always loyal hands. An instrument that has so utterly failed, after nine years' experiment, to bring the wishes, wants and views of the country before the Throne and the Government, that has so completely demonstrated its incapacity to realize the "vor parent, then," so that the Article will read as follows : populi, vox Dei " of every other constitutional "The Crown is hereby permanently confirmed to His country as to send such men to the Legislature as Majesty Kamehameha III during his life, and to his the Honorable member for Koolauloa—men who. in case there is no heir apparent then the successor had there been a municipal institution in their

counties or towns, might have worthily filled a ous efforts to afford some remedy, either for the beadle's place on sundry occasions, but certainly never would have aspired to the fearful responsibility of delivering oracular nonsense at one dollar an hour, or recording their votes against the pre- the deep insight, the logical training requisite to servation and relief of their own race.

return to the subject before us.

medial, while legislation upon other and collateral

pared with which prayer, exhortations and exam- with such counsellors; ple were but the blunted weapons of a by-gone fines finally did it so finely that the whole people, fine. At length the Government became so thorwhat at first was intended as a moral check, came | ture ! to be considered as a fiscal measure, a sort of poitical collusion between the necessities of the State and the uneducated passions of the populace.

Did a man hesitate which side of the street to take on his way home, after a hearty dinner and a drop too much-a night in the lock-up with prostitutes and thieves, and a six-dollar fine in the morning would make him entertain rather singular thoughts about the morality and logic of a Government that licenses the seller of spirituous liquors and dies under these Egyptian taskmasters, who in an exorbitant sum, and then fines the buyer if refuse the straw while their tide of bricks are ever the spirits prove too potent.

Did a man sin against the seventh commandment, fines again did the business and settled his account with morality and society, whose prurient and inquisitive appetites were kept on a continual rack, as it were-the law kindly feeding it with daily exhibitions of fresh culprits returning to a state of innocence, to their place in society, and to the osom of the church, after having stood the money test or the Lethean bath of the public prisons. Fifteen dollars was the price of indulgence for one, gentler treatment, for a better diagnosis of the and thirty dollars for the other kind of this offense. The imprisonment only came in as an additional punishment for the additional offense of being poor; the rule holding good here, as well as elsewhere, that the rich thieves go scott free while the poor the initiatory and merciful hands of the law, the sinner almost always showed how much he or she greater circumspection and the unfailing resolution to be even with a law that gave to an immoral act all the zest of a stolen pleasure.

And the first faux pas, the trembling victim of another's art, and the unblushing wanton stood in honorable equality before this law.

Here we have two laws on different subjects, intended no doubt as restraints on immorality, and yet, through the ignorance of the laws of the human mind in general, and of the peculiar characteristics and antecedents of this people in particular, working the very reverse of their intentions with all the aggravated intensity of a wrong long continued. And how they contrived to work together, for the emolument of the Government and the annihilation of the native race, the following tale of not unfrequent occurrence in Hawaiian life is a great meeting when officers are chosen, reports

similar kind, little crosses by the wayside of Ha- Seeing with what apparent sincerity these young waiian legislation, before which the philosophic people profess to be identified with the interests traveller, the loving and the God-like, pauses and of this Kingdom, and how many of them are bidprays-but which the moral upstart, the iron heart, ding for its offices, we should have preferred some passes by with the scornful expression of " served expression which would have conveyed the idea her right "" But what has this to do with the bill before the not across the water.

Legislature! Simply this, that it shows how the law-those who made it, and those who continue it in force-urge the poor and the foolish into The language is forcible and the tone argumentsprostitution in self defence, as it were, and ruth lessly wreck the noblest feelings of the human heart, so that the law will be but vindicated and half so well constructed. In one place he says, the fine paid in.

How much the country feels such legislation to this session by numerous petitions and by numer-

evil in toto, or for some one of its most repulsiva features. That many of the native members of either House of the Legislature should not possess enable them to trace effects back to their causes But more of this at another time. Let us now and to choose, among different presentations the proper remedy, is not surprising, and, although to The bill now before the Legislature touching this be regretted, is even pardonable-but that foreign matter, even if passed, can only be partially re- born, foreign educated members, gentlemen in the bud and gentlemen in the sear and yellow leaf, gensubjects remains as crude and vicious as it is at tlemen with and gentlemen without experiencepresent, and as it has been ever since the advent supplying the want of the one with assurance to political power of the glorious " Praise-God- suppressing the lessons of the other at the feet of Barebones" of Hawaii-nei. Fines, fines, fines was a chimera—that they should so fearfully stulticthe order of the day and the spirit of their legis- themselves and mystify the people on this vital lation. The Apostolic errand became so much subject is so lamentable a perversion of the inteleasier, and the people compelled into outward con- lectual powers of which they boast, that we are formity so much quicker, by means of such fiery fain to bow down in dust and ashes and reverentitongues as fines, stripes and imprisonment, com- ally inquire what this people has done to be cursed

What shall we think : what shall we say, when The former spoke feelingly through the an old man, whose gray hairs and bowed back senses to the unconverted heart of the savage, and speak of that approaching journey when a well instilled the love of God through the fear of the spent life and a quiet conscience are the safest and bailiff; the latter would have fallen unheeded, like pleasantest travelling companions-when a reverwater on a goose; besides, it would have required end gentleman, whose mission and calling should a life-time ere the work to be done could have been have brought him in contact with, and knowledge fairly began and the green laurel wreath could have of, the vilest of mankind, their haunts and their adorned still greener brows expectant. There was habits, in order to alleviate the misery of their no choice at that day-there could be none-between | condition, soften the horrors of their worse than a handful of Christians, a corporal's guard of gen- hell on earth, and redeem from their errors the uine converts, standing forth in the dim glory of poor victims who, from childhood up, never had their own clean clothes and healthy appearance in an adequate conception of the crime for which they a corner of the Pacific-and a whole nation step- stand accused-when a Privy Councellor, a Noble ping forth at a bound at the word of command, of the land, and the head of a Department, after pinked and rouged and in borrowed clothes, and to nearly thirty years residence among this people. the tune of "Old Hundred." A little pain with stands up in his place in Parliament and elsewhere the drilling at first, and fines did the rest. In fine, and insists that fines should be doubled and labor increased, that virtue comes from drubbing, chaswhether eating or drinking, sleeping or waking, tity from the ducking stool, and that Hawaiian moving or still, felt as if walking on new made ice | morals will be elevated by a higher penalty, a or on new cooled lava, with no possible security longer imprisonment-when age, calling, station against the pitfalls of the law and the invariable and experience combine to produce such an abortion of a remedy, what can be expected of their oughly identified with the fining processes, that noisy echoes in the lower branch of the Legisla-

It often seems to us as if the constant attempts to hoodwink the people at home, as well as the foreigner abroad, on the subject of prostitution in these islands, in the face of a yearly diminishing population, had its source in something worse than ignorance, some unexpired, baffled speculation of former years. It is not the foreign element that decreases permanently by this evil, so often referred to; it is the Hawaiian element that suffers

The physical preservation of a people is the political postulatum of the existence of every State. But in this country physical health has invariably been subordinated to moral development or, what has stood in its place, a rigorous discipline to produce the semblance. There seems to be but one determination, one way of reasoning, with the political and moral martinets of this school, and that is to drive morality into the native or drive the soul out of his body. And when we ask for evils that afflict this people, we are taunted, reviled and accused of being an advocate of drunkenness

and prostitution ! The bill to alleviate the evils of prostitution, of which we spoke in our last, has been fully and thoroughly discussed in the House of Representatives. It was severely contested by the Missionaones are bung up. Having thus passed through ry party, even to the issuing of an extra Hae Ha waii and distributing it among the members during the debate, and the vote to pass the bill on its second reading only passed yesterday afternoon with had profited by the lesson of a smarting fine or a a majority of one; the vote being 14 for and 13 prison education, not by greater reticence, but by against passing. Messrs. Chamberlayne, Dowsett, Knudsen, McCully, Webster and Widdemann voting with the bill, and Messrs. Green and Baldwin

> To-day it will be put on its third reading, and we hope it will finally pass. [unless the wind should change, or another extra Hae be issued this morning] and thus relieve the country, in a measure, from the stigma of sitting quietly by, while so great an evil wrought so great a ruin to its own people, without a voice or an effort in the right direction aving been made to save.

There exists in Honolulu a meritorious little

against it.

association called the "Mission Children's So ciety," the object of which seems to be to render continuous, at least to the second generation, the Missionary spirit that actuated their fathers. The Society holds monthly meetings, at which little subscriptions are taken up, and once a year there read and an address delivered by the out-going Not long ago, at the beginning of a shipping President. A portion of the money received for season, a native of generally steady habits became life and annual memberships and gathered when intoxicated at one of those beer shops which grew "the hat goes round," is appropriated towards in the shadow of former judicial decisions. He delraying the expenses of some of the "cousins," was arrested, and the next morning sentenced to or children of Hawaiian Missionaries, who have the usual fine of \$6.00, and in default of payment gone to the United States to get their education. was sent to prison. Living in the country, his And, indeed, a nicer little society could hardly wife only learnt the fact late in the afternoon, exist. The Vice-President is a young lady and so She borrows two dollars, and herself and her hus- is the Corresponding Secretary. In fact the whole band's sister proceed to town to earn (on the street) affair smacks of something genuine and clannish, the balance of the fine. The second night the wife or rather cousinish, and we are sorry in the Reis arrested. The sister, more fortunate, releases port for 1860 (which is before us) to observe these the husband on the same morning that the wife, words, " The Treasurer has but little to say. The not being known as a married woman, is fined \$15 | Society will have to devote more attention hereafand sent to prison for want of means to pay it. ter to its finances. Embarrassment is inevitable To release the wife, the husband ships as laborer unless some new course is taken in regard to proon a guano island, and with the advance money of curing our funds." The Mission children, alhis wages procures his wife's freedom the day be- though born here, and legally Hawaiians, appear, fore he leaves her for one year, unprovided for. nevertheless, to look upon themselves as in a kind Shortly after his departure, wife and sister take of Egypt, and to indulge in many fond thoughts of up their abode in Honolulu, to support themselves their land of Canaan. This we gather from the on the pave. The sister soon contracts the sick- Report of the Recording Secretary, wherein occur ness consequent on such a life, returns to her home these words: " Nov. 5, 1859. Mr. D. B. Lyman, Jr., as he was about to depart to his Fatherland, This is but one of a thousand instances of a addressed our Society with a few parting words." that they considered their home to be here, and The address of the President is a document

which certainly does a youth of his age great credit. tive. Many a young man of his years, even in the "Fatherland," might have written an essay not speaking of course of the Hawaiians:

A strong barrier of distrust once existed betwen them and the be a grievance has been tolerably well illustrated influence or entrance into government service with extreme